

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)
v.) Case No. 1:22-CR-165
HATCHET M. SPEED,) Hon. Michael S. Nachmanoff
Defendant.)

**GOVERNMENT'S NOTICE OF INTENT TO INTRODUCE EVIDENCE
UNDER FEDERAL RULE OF EVIDENCE 404(b) AT TRIAL**

Pursuant to Federal Rule of Evidence 404(b)(3), the United States, through the undersigned attorneys, hereby notifies the defendant, Hatchet Speed, that it intends to introduce evidence at trial concerning the defendant's prior purchases of registered silencers in June 2020 and February 2021.

Specifically, the United States intends to introduce evidence that in June 2020, the defendant purchased three silencers from Silencer Shop and completed the Bureau of Alcohol, Tobacco, Firearms & Explosives ("ATF") Forms 4 in order to register these silencers to him in the National Firearms Registration and Transfer Record ("NFRTR"), in accordance with the requirements of the National Firearms Act ("NFA"). The United States also intends to introduce evidence that in February 2021, the defendant purchased four more silencers from Silencer Shop and likewise complied with the NFA in doing so. This evidence will consist of the silencers themselves, photographs of the silencers from the time they were seized from Speed's storage unit and residence, chains of custody for the silencers, and the ATF Forms 4.

The United States intends to introduce this evidence at trial for the permissible purpose of

showing the defendant's knowledge of the characteristics of a silencer, and his absence of mistake in purchasing three unregistered silencers from Hawk Innovative Tech in March 2021. *See Fed. R. Evid. 404(b)(2).* Specifically, the June 2020 silencers are relevant to proving that the defendant knew of the features and characteristics of firearm silencers when he purchased the Hawk Innovative Tech devices the following year, as he had already purchased the June 2020 silencers when he purchased the Hawk Innovative Tech devices.

The February 2021 silencers are relevant to proving that Speed purchased the Hawk Innovative Tech knowing and intending that they were firearm silencers. The February 2021 silencers consist of two silencers for 9mm caliber firearms and two silencers for .45 caliber firearms. The silencers that Speed purchased from Hawk Innovative Tech the following month included a device for a 9mm caliber firearm and .45 caliber firearm. The similarity in calibers between the devices is relevant to proving that Speed purchased the Hawk Innovative Tech devices to circumvent the delay that he was experiencing in obtaining ATF approval to take possession of the February 2021 silencers.

The United States also intends to introduce the June 2020 and February 2021 silencers as evidence at trial to demonstrate the similarity between the design of those devices and the design of the Hawk Innovative Tech devices.

Respectfully submitted,

Jessica D. Aber
United States Attorney

/s/
Thomas W. Traxler
Amanda Lowe
Assistant United States Attorneys
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314
Telephone (703) 299-3700
Facsimile (703) 299-3980
Email: thomas.traxler@usdoj.gov
amanda.lowe@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of January, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will electronically serve all counsel of record.

/s/
Amanda Lowe
Assistant United States Attorney